

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sherry Leonard *et al.*  
Serial No.: 08/956,518  
Filed: 10/23/97  
Entitled: ALPHA-7 NICOTINIC RECEPTOR

Group No.: 1815  
Examiner:



RESPONSE TO NOTICE TO FILE MISSING PARTS

Attention: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 7, 1998.

By: Marlene Garitano  
Marlene Garitano

Sir or Madam:

In response to the Notice to File Missing Parts of Application -- Filing Date Granted (Form PTO-1533) mailed January 23, 1998 (a copy of which is enclosed), applicants submit the following documents:

- ▶ Executed declaration or oath
- ▶ Power of Attorney
- ▶ Petition for extension of time for filing within the first month

A check in the amount of \$635.00 is enclosed herewith to cover:

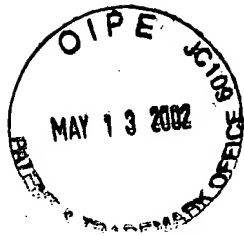
\$130.00 surcharge for filing missing parts of an application  
\$110.00 for filing a one month extension of time  
\$395.00 to complete the filing fee for a large entity

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: April 7, 1998

Kamrin T. MacKnight  
Kamrin T. MacKnight  
Registration No. 38,230

MEDLEN & CARROLL, LLP  
220 Montgomery Street, Suite 2200  
San Francisco, California 94104  
415/705-8410



RLD

Serial No.: 08/956,518

MC File No.: LTC-03042

By: KTM

In The Matter of the Application Of: Sherry Leonard et al.

Date Mailed: 04/07/98

Due Date: 03/23/98

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> Design Patent Application _____ Pages	<input type="checkbox"/> Trademark Application	<input checked="" type="checkbox"/> Transmittal Letter <input type="checkbox"/> Duplicate
<input type="checkbox"/> Plant Patent Application _____ Pages	<input type="checkbox"/> ITU Trademark Application	<input checked="" type="checkbox"/> Certificate of Mailing
<input type="checkbox"/> Prov. Patent Application _____ Pages	<input type="checkbox"/> Statement of Use	<input type="checkbox"/> Cert. of Express Mailing Label No.:
<input type="checkbox"/> Utility Patent Application _____ Pages	<input type="checkbox"/> Trademark Renewal Application	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Section 8 & 15 Affidavits	<input checked="" type="checkbox"/> Check(s): \$635.00
<input type="checkbox"/> Form PTO-1449 and Copies of _____	<input type="checkbox"/> Specimens	<input checked="" type="checkbox"/> Deposit Account Authorization
References Contained Thereon	<input checked="" type="checkbox"/> Declaration/Oath/Affidavits	
<input checked="" type="checkbox"/> Form PTO-1533 (Not. of Missing Parts)	<input type="checkbox"/> Drawings: _____ Sheet(s)	
<input type="checkbox"/> Certificate Re: Sequence Listing	<input type="checkbox"/> Formal <input type="checkbox"/> Informal	
<input type="checkbox"/> Sequence Listing in Paper Copy and on	<input checked="" type="checkbox"/> Power of Attorney	
Computer Readable Diskette	<input type="checkbox"/> Form PTO-1594/1595	
<input type="checkbox"/> Form PTOL-85B (Issue Fee Transmittal)	<input type="checkbox"/> Assignment	
<input type="checkbox"/> Form PTO-1050 (Cert. of Correction)	<input type="checkbox"/> Small Entity Declaration	
<input type="checkbox"/> Maintenance Fee Transmittal Form	<input type="checkbox"/> Amendment/Response	
<input type="checkbox"/> Reexamination Request	<input checked="" type="checkbox"/> Extension of Time Req.: 1 Month(s)	
<input type="checkbox"/> PCT Application _____ Pages	<input type="checkbox"/> Notice of Appeal	
<input type="checkbox"/> Chapter II Demand	<input type="checkbox"/> Petition _____	

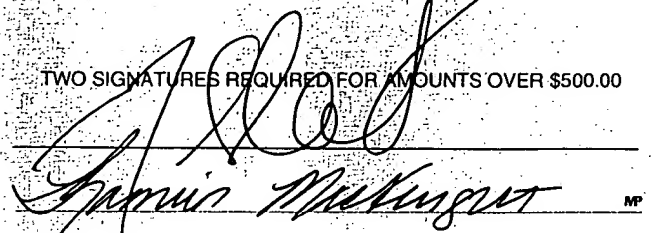
FOR PTO USE

**MEDLEN & CARROLL, LLP**220 MONTGOMERY ST. STE. 2200 PH. 415-705-8410  
SAN FRANCISCO, CA 94104BANK OF THE WEST  
SAN FRANCISCO MAIN OFFICE  
SAN FRANCISCO, CALIFORNIA 94104  
90-78-1211

23885

PAY Six Hundred Thirty-Five Dollars And 00/100  
TO THE ORDER OF Honorable Commissioner of Patents & TrademarksDATE  
April 7, 1998AMOUNT  
\$635.00

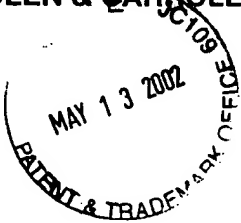
TWO SIGNATURES REQUIRED FOR AMOUNTS OVER \$500.00

  
MP

⑈023885⑈ ⑆121100782⑆ 042005603⑈

**MEDLEN & CARROLL, LLP**

23885

**MEDLEN & CARROLL, LLP**

23885

Client Code - Matter No.: UTC-03042  
Description: Missing Parts w/1 Month Extension of Time

04/07/98

\$635.00



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/26,518 10/23/97 LEONARD

UTC-03042

0252/0123

NOT ASSIGNED

KAMRIN T. MACKNIGHT  
MCKEN & CARROLL  
220 MONTGOMERY STREET  
SUITE 2200  
SAN FRANCISCO CA 94104

1815

DATE MAILED:

01/23/98

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 65 for a ☐ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). 3/23/98 RCD

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 65.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required. Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☒ 4. The signature(s) to the oath or declaration is/are:

- ☒ missing.
- ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

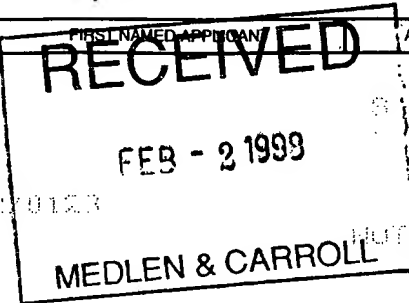
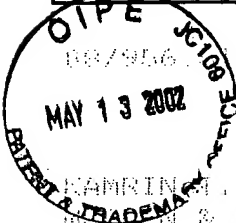
H. Melvin  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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LEONARD  
02540123  
HUTCHINSON  
MAMRINE, MARKNIGHT  
& CARROLL  
200 MONTGOMERY STREET  
SUITE 2200  
SAN FRANCISCO CA 94104

DATE MAILED:

01/23/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 65 for a ☐ large entity ☒ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). 3/23/98 ed

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- ☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. The oath or declaration:

- ☐ is missing.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☒ 4. The signature(s) to the oath or declaration is/are:

- ☒ missing.  
☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

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- ☐ 9. OTHER:

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**A copy of this notice MUST be returned with the response.**

H. Melvin  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
082956,518	10/23/97	1815	\$491.00	UTC-03042	10	25	4

KAMRIN T. MACKNIGHT  
MEDLEN & CARROLL  
220 MONTGOMERY STREET  
SUITE 2200  
SAN FRANCISCO CA 94104

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

SHERRY LEONARD, DENVER, CO.

FOREIGN FILING LICENSE GRANTED 01/23/98

\* SMALL ENTITY \*

TITLE

ALPHA-7 NICOTINIC RECEPTOR

PRELIMINARY CLASS: 435

PRIOR ART STATEMENT DUE 3 MONTHS 7/23/98  
FOREIGN FILING LETTER DUE  
6 MONTHS UTILITY / 3 MONTHS DESIGN 4/23/98  
FOREIGN FILING DEADLINE  
12 MONTHS UTILITY / 6 MONTHS DESIGN 10/23/98  
TWENTY-ONE MONTHS SUSPENSE DATE 7/23/99

RECEIVED

JAN 29 1998

MEDLEN & CARROLL